



Randal S. Mashburn
U.S. Bankruptcy Judge

Dated: 1/17/2018



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re:

VANGUARD HEALTHCARE, LLC, <i>et al.</i> ¹)	Case No. 16-03296
9020 Overlook Blvd, Suite 202)	Chapter 11
Brentwood, TN 37027)	Judge Mashburn
Debtors.)	Jointly Administered
		Hearing: Jan. 23, 2018

**ORDER GRANTING DEBTORS' FIFTH OMNIBUS OBJECTION TO PROOFS OF
CLAIM (CLAIMS RESOLVED THROUGH ALTERNATIVE DISPUTE
RESOLUTION OR OTHERWISE SATISFIED)**

This matter came before the Court upon the *Debtors' Fifth Omnibus Objection to Proofs of Claim (Claims Resolved Through Alternative Dispute Resolution or Otherwise Satisfied)* (Docket No. 2195) (the "Objection").² It appearing to the satisfaction of the Court that notice of the Objection was provided pursuant to Local Rules 3007-1 and 9013-1 on December 11, 2017, that there were no responses to the Objection, and that the Objection should be granted for the reasons stated in the Objection, it is

ORDERED as follows:

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Vanguard Healthcare, LLC (9650); Vanguard Healthcare Services, LLC (7563); Vanguard Financial Services, LLC (3403); Aurora Australis, LLC (7099); Boulevard Terrace, LLC (8709); Elderscript Services, LLC (4179); Eldercare of Jackson County, LLC (7855); Glen Oaks, LLC (8238); Palace RBS, LLC (9601); Shady Lawn, LLC (7397); Vanguard of Ashland, LLC (8367); Vanguard of Church Hill, LLC (1049); Vanguard of Crestview, LLC (1046); Vanguard of Manchester, LLC (6203); Vanguard of Memphis, LLC (4623); Vanguard of Ripley, LLC (1050); Vicksburg Convalescent, LLC (7298); and Whitehall OpCo, LLC (6186).

² Unless otherwise defined, all capitalized terms shall have the meanings provided in the Objection.

1. The Objection is GRANTED.
2. The Resolved Claims listed on Schedule 1 hereto are disallowed in their entirety.
~~and shall be stricken and expunged from the claims registers in the Debtors' Chapter 11 cases.~~
3. The Debtors' objection to each Resolved Claim addressed in the Objection constitutes a separate contested matter as contemplated by Fed. R. Bankr. P. 9014. This Order shall be deemed a separate Order with respect to each Resolved Claim. Any stay of this Order pending appeal by any of the claimants subject to this Order shall only apply to the contested matter which involves such claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters covered hereby.
4. The Debtors' rights are reserved to file future objections to claims asserted in proofs of claim that have been or may subsequently be filed in the Chapter 11 cases, or claims that may be listed on the Debtors' schedules, on the grounds set forth in the Objection or any other appropriate grounds under applicable law.
5. Without limiting the foregoing, the Debtors shall retain and shall have the right to object in the future to any of the proofs of claim listed on Schedule 1 hereto on any additional or supplemental grounds, to object in the future to any other proof of claim filed by any claimant whose claim is a Resolved Claim, and to seek to amend, modify, and/or supplement this Order as may be necessary.
6. Nothing contained herein shall constitute, nor shall it be deemed to constitute, allowance of any claim asserted against the Debtors, including, but not limited to the Resolved Claims.

7. The Court shall retain jurisdiction over the Debtors and any claimant whose claim is a Resolved Claim with respect to any matters related to or arising from the Objection or the implementation of this Order.

8. The Debtors are authorized and empowered to execute and deliver such documents, and to take and perform all actions necessary to implement and effectuate the relief granted in this Order.

9. The Debtors' noticing agent, BMC Group, is hereby directed to serve this Order on the claimants identified in Schedule 1.

This Order Was Signed and Entered Electronically as Indicated at the Top of the First Page

APPROVED FOR ENTRY:

/s/ William L. Norton, III
William L. Norton, III (#10075)
James B. Bailey (*pro hac vice*)
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Attorneys for Debtors

SCHEDULE 1

Claim Number	Creditor Name	Case Number	Case Name	Claim Amount
96 & 152	Majida Masarwa	16-03296	Vanguard Healthcare, LLC	\$650,000 as reduced to \$7,920.00
116	Sherry Rich, on behalf of the Estate and Wrongful Death Beneficiaries of Sybil Rich	16-03296	Vanguard Healthcare, LLC	\$750,000.00
29	Sherry Rich, on behalf of the Estate and Wrongful Death Beneficiaries of Sybil Rich	16-03297	Vanguard Healthcare Services, LLC	\$750,000.00
15	Sherry Rich, on behalf of the Estate and Wrongful Death Beneficiaries of Sybil Rich	16-03308	Eldercare of Jackson County, LLC	\$750,000.00
83	Michelle Kidwell, as Personal Representative of the Estate of Michelle Minio	16-03296	Vanguard Healthcare, LLC	Unliquidated
17	Michelle Kidwell, as Personal Representative of the Estate of Michelle Minio	16-03322	Whitehall OpCo, LLC	Unliquidated
154	David Calhoun, Administrator of the Estate of Fred Calhoun	16-03296	Vanguard Healthcare, LLC	\$500,000.00
16	Betty Wade, Administratrix ad Litem of Estate of Alvie Inez Phipps, Deceased, and on behalf of the wrongful death beneficiaries of Alvie Inez Phipps	16-03306	Elderscript Services, LLC	\$92,999.97

15	Betty Wade, Administratrix ad Litem of Estate of Alvie Inez Phipps, Deceased, and on behalf of the wrongful death beneficiaries of Alvie Inez Phipps	16-03317	Vanguard Manchester, LLC of	\$92,999.97
105	Betty Wade, Administratrix ad Litem of Estate of Alvie Inez Phipps, Deceased, and on behalf of the wrongful death beneficiaries of Alvie Inez Phipps	16-03296	Vanguard Healthcare, LLC	\$92,999.97
21 & 22	Betty Wade, Administratrix ad Litem of Estate of Alvie Inez Phipps, Deceased, and on behalf of the wrongful death beneficiaries of Alvie Inez Phipps	16-03297	Vanguard Healthcare Services, LLC	\$92,999.97
13	Betty Wade, Administratrix ad Litem of Estate of Alvie Inez Phipps, Deceased, and on behalf of the wrongful death beneficiaries of Alvie Inez Phipps	16-03298	Vanguard Financial Services, LLC	\$92,999.97
14	Lisa Baltimore, Administratrix ad Litem of Estate of Johnny Wayne Stegall, deceased and on behalf of the wrongful death beneficiaries of Johnny Wayne Stegall	16-03306	Elderscript Services, LLC	\$119,999.97
16	Lisa Baltimore, Administratrix ad Litem of Estate of Johnny Wayne Stegall, deceased and on behalf of the	16-03317	Vanguard Manchester, LLC of	\$119,999.97

	wrongful death beneficiaries of Johnny Wayne Stegall			
108	Lisa Baltimore, Administratrix ad Litem of Estate of Johnny Wayne Stegall, deceased and on behalf of the wrongful death beneficiaries of Johnny Wayne Stegall	16-03296	Vanguard Healthcare, LLC	\$119,999.97
25	Lisa Baltimore, Administratrix ad Litem of Estate of Johnny Wayne Stegall, deceased and on behalf of the wrongful death beneficiaries of Johnny Wayne Stegall	16-03297	Vanguard Healthcare Services, LLC	\$119,999.97
16	Lisa Baltimore, Administratrix ad Litem of Estate of Johnny Wayne Stegall, deceased and on behalf of the wrongful death beneficiaries of Johnny Wayne Stegall	16-03298	Vanguard Financial Services, LLC	\$119,999.97
15	Shirley Roberts, as Next Friend of Florida Wright, an incapacitated person	16-03306	Elderscript Services, LLC	\$105,000.04
18	Shirley Roberts, as Next Friend of Florida Wright, an incapacitated person	16-03318	Vanguard of Memphis, LLC	\$105,000.04
109	Shirley Roberts, as Next Friend of Florida Wright, an incapacitated person	16-03296	Vanguard Healthcare, LLC	\$105,000.04
26	Shirley Roberts, as Next Friend of Florida Wright, an incapacitated person	16-03297	Vanguard Healthcare Services, LLC	\$105,000.04

17	Shirley Roberts, as Next Friend of Florida Wright, an incapacitated person	16-03298	Vanguard Financial Services, LLC	\$105,000.04
12	John Elliott, surviving spouse and next of kin of Sarah Katherine Sowell Elliott and on behalf of the wrongful death beneficiaries of Sarah Katherine Elliott	16-03306	Elderscript Services, LLC	\$87,000.04
15	John Elliott, surviving spouse and next of kin of Sarah Katherine Sowell Elliott and on behalf of the wrongful death beneficiaries of Sarah Katherine Elliott	16-03316	Vanguard of Crestview, LLC	\$87,000.04
94	John Elliott, surviving spouse and next of kin of Sarah Katherine Sowell Elliott and on behalf of the wrongful death beneficiaries of Sarah Katherine Elliott	16-03296	Vanguard Healthcare, LLC	\$87,000.04
19	John Elliott, surviving spouse and next of kin of Sarah Katherine Sowell Elliott and on behalf of the wrongful death beneficiaries of Sarah Katherine Elliott	16-03297	Vanguard Healthcare Services, LLC	\$87,000.04
11	John Elliott, surviving spouse and next of kin of Sarah Katherine Sowell Elliott and on behalf of the wrongful death beneficiaries of Sarah Katherine Elliott	16-03298	Vanguard Financial Services, LLC	\$87,000.04

11	Carrie E. Yancey, Administratrix of Estate of Essie Mae Brown, Deceased, and on behalf of the wrongful death beneficiaries of Essie Mae Brown	16-03306	Elderscript Services, LLC	\$90,000.00
17	Carrie E. Yancey, Administratrix of Estate of Essie Mae Brown, Deceased, and on behalf of the wrongful death beneficiaries of Essie Mae Brown	16-03318	Vanguard of Memphis, LLC	\$90,000.00
89	Carrie E. Yancey, Administratrix of Estate of Essie Mae Brown, Deceased, and on behalf of the wrongful death beneficiaries of Essie Mae Brown	16-03296	Vanguard Healthcare, LLC	\$90,000.00
18	Carrie E. Yancey, Administratrix of Estate of Essie Mae Brown, Deceased, and on behalf of the wrongful death beneficiaries of Essie Mae Brown	16-03297	Vanguard Healthcare Services, LLC	\$90,000.00
10	Carrie E. Yancey, Administratrix of Estate of Essie Mae Brown, Deceased, and on behalf of the wrongful death beneficiaries of Essie Mae Brown	16-03298	Vanguard Financial Services, LLC	\$90,000.00

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.